

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

CHRISTIE DAVIS,

10-CV-811-PK

Plaintiff,

ORDER

v.

PEOPLES CHOICE HOME LOAN, INC.;
MARTIN BONANNO; USB AG
INVESTMENT TRUST; R.K. ARNOLD;
MERS, INC. (MORTGAGE ELECTRONIC
REGISTRY SYSTEM); OCWEN LOAN
SERVICING,

Defendants.

CHRISTIE DAVIS
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503-810-6877

Plaintiff, *Pro Se*

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Attorneys for Defendants MERS, Inc., and Ocwen
Loan Servicing

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#72) on February 4, 2011, in which he recommends the Court grant in part and deny in part the Motion (#59) to Dismiss of Defendants MERS, Inc., and Ocwen Loan Servicing as follows:

1. Deny Defendants' Motion as to Plaintiff's claim for conversion against Ocwen;
2. Grant Defendants' Motion as to Plaintiff's other claims against Ocwen;
3. Dismiss with prejudice Plaintiff's claims against Ocwen other than her claim for conversion;
4. Grant Defendants' Motion as to all of Plaintiff's claims against MERS, Inc.; and
4. Dismiss with prejudice Plaintiff's claims against MERS, Inc.

Plaintiff filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*).

This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#72). The Court, therefore, **DENIES** Defendants' Motion (#59) to Dismiss as to Plaintiff's claim for conversion against Ocwen; **GRANTS** Defendants' Motion as to Plaintiff's remaining claims against Ocwen; **DISMISSES with prejudice** Plaintiff's claims against Ocwen other than her claim for conversion; **GRANTS** Defendants' Motion as to Plaintiff's claims against MERS, Inc.; and **DISMISSES with prejudice** Plaintiff's

claims against MERS, Inc.

IT IS SO ORDERED.

DATED this 5th day of May, 2011.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge